

UTAH APPRAISER LICENSING AND CERTIFICATION BOARD

Heber M. Wells Building
Room 210
9:00 a.m.
July 25, 2018
TELEPHONIC MEETING

MINUTES

DIVISION STAFF PRESENT:

Jonathan Stewart, Division Director
Mark Fagergren, Education and Licensing Director
Kadee Wright, Chief Investigator
Justin Barney, Hearing Officer
Chad Tengler, Real Estate Analyst
Elizabeth Harris, Assistant Attorney General
Amber Nielsen, Board Secretary
Kendelle Christiansen, Education Coordinator
Craig Livingston, Investigator
Lark Martinez, Division Staff

BOARD MEMBERS PRESENT:

Jeffrey T. Morley, Vice Chair
Jim Bringham, Board Member
Richard Sloan, Board Member
Keven Ewell, Board Member

NO PUBLIC ATTENDED

The July 25, 2018 meeting of the Appraiser Licensing and Certification Board began at 9:01 a.m. with Vice Chair Morley conducting. Chair Ulibarri was excused from the meeting.

PLANNING AND ADMINISTRATIVE MATTERS

Approval of Minutes –

A motion was made and seconded to approve the June 13, 2018 minutes as written. Vote: Vice Chair Morley, yes; Board Member Bringham, yes; Board Member Sloan, yes. The motion passes.

Public Comment Period – No public comment was given.

DIVISION REPORTS

DIRECTOR'S REPORT – Jonathan Stewart

Director Stewart reported he has been contacted by Kristy Klamet about the next ASC review. The proposed dates are February 25-28th. He stated the Division needs to know if there is an issue with those dates.

Director Stewart announced Jim Bolton has retired. He announced the Division will not be filling his position. The Division is looking into contracting out for appraiser investigations.

Director Stewart reported the Division is already looking to the legislation for next year. The Division doesn't have anything appraiser specific. Directed Stewart presented some ideas Craig Morley brought for potential legislation. He suggested allowing trainees to sign report at some point, allow appraisers to perform evaluations without USPAP requirements, and to look at the statute of limitations for civil claims against appraisers. There was some discussion on each of those suggestions. Director Stewart stated if there are any other proposals to let him know.

ENFORCEMENT REPORT – Kadee Wright

Ms. Wright reported in June the Division received 5 complaints; opened 6 new cases; closed 2 cases; leaving 33 appraisal cases open with the Division. There are a total of 3 cases now with the AG's office.

There are no stipulations for review.

EDUCATION AND LICENSING REPORT – Mark Fagergren

Mr. Fagergren reported the overall licensing numbers seem mostly the same, but there has been a big influx of individuals applying for licenses. There are currently 27 individuals in the application process. Thirteen have been approved, one denied. Nine applied with the old requirements and four have applied with the new rules who are waiting. He noted that, additionally, Kendelle Christiansen will be out and the two other licensing technicians are training.

Mr. Fagergren presented lists of individuals who were approved for licensing by the Division since the last meeting.

Mr. Fagergren presented lists for review.

Certified and Licensed Appraiser Applicants Approved by the Education Review Committee Recommended to be Denied by the Experience Review Committee:
Matthew Luikart, LA Candidate

Mr. Fagergren also asked the Board their thoughts on Aaron Rosqvist's application for registration as an Appraiser Trainee.

BOARD AND INDUSTRY ISSUES

Mr. Barney presented language for a proposed rule change regarding the AMC National Registry Fees which were discussed in previous meetings. There was a brief discussion on the proposed language. A motion was and seconded to approve the rule amendment proposal as written and move forward to public comment. Vote: Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes.

Mr. Fagergren discussed the Division's proposal to adopt the RAP Back feature on fingerprinting. The Board asked for a report on what the other commissions were doing. Director Stewart reported the mortgage commission decided to not adopt any additional requirements as the NMLS already has a similar provision, and he stated the real estate commission doesn't seem to want to adopt the RAP Back. The Board came to a consensus to not adopt the RAP Back.

Mr. Barney reported the rule amendment which was approved to go forward in the past months was filed and is currently in the public comment period. The public comment period will remain open through August 14. The earliest effective day would be August 21. At this point no public comment has been received. The Board will vote on this rule amendment at the next meeting.

A motion was made and seconded to close the meeting for the sole purpose of discussing the character, professional competence or physical or mental health of an individual. Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes.

CLOSED TO PUBLIC

An Executive Session was held from approximately 9:58 a.m. to 10:02 a.m.

OPEN TO PUBLIC

RESULTS OF EXECUTIVE SESSION

Mr. Luikart will be notified by mail of the results of his application.

A motion was made and seconded to adjourn the meeting. Vice Chair Morley, yes; Board Member Bringhurst, yes; Board Member Sloan, yes; Board Member Ewell, yes. The motion passes. The meeting adjourned at approximately 10:03 a.m.